

1 **COZEN O'CONNOR**

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17 Attorneys for Defendant TRANSAMERICA
18 LIFE INSURANCE COMPANY19 **UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

20 JACKLYN G. RIGGS, an individual,

21 Plaintiff,

22 vs.

23 TRANSAMERICA LIFE
24 INSURANCE COMPANY, DOES I-
25 XXX; AND ABC CORPORATIONS
26 A-Z, inclusive,

27 Defendant.

28 Case No. 3:22-cv-00124-LRH-CLB
State Court Case No. CV22-0015329 **DEFENDANT TRANSAMERICA
LIFE INSURANCE COMPANY'S
COURT ORDERED
STATEMENT REGARDING
REMOVAL**30 Complaint Filed: January 31, 2022
31 Removed: March 8, 202232 Defendant Transamerica Life Insurance Company ("TLIC") respectfully
33 submits this Statement Regarding Removal from the Second Judicial District Court
34 of the State of Nevada, Washoe County, to the United States District Court for the
35 District of Nevada, Reno Division, as required by the Court's Order dated March 9,
36 2022 and signed by The Honorable Larry R. Hicks, U.S.D.J (the "Order"):37
38 STATEMENT REGARDING REMOVALCOZEN O'CONNOR
3753 HOWARD HUGHES PKWY
SUITE 200
LAS VEGAS, NEVADA 89169

1 1. Transamerica was served with the Complaint on February 11, 2022.
 2 2. Transamerica was served with the Summons on February 11, 2022.
 3 3. No Defendant in this action is a citizen of Nevada. Jacklyn G. Riggs
 4 ("Plaintiff") is a citizen of Nevada. TLIC is a corporation organized and existing
 5 under the laws of the State of Iowa with its principal place of business and "nerve
 6 center" in Cedar Rapids, Iowa, and is therefore deemed to be a citizen of the State of
 7 Iowa. As set forth in Plaintiff's Complaint, she is seeking an award of damages for
 8 past policy benefits (\$33,439.26); emotional distress damages; statutory treble
 9 damages; punitive damages; and attorney's fees. The past policy benefits are
 10 demonstrated by the Policy Schedule and terms, as well as the Declaration of
 11 Courtney Wunderlich. These documents were previously attached to TLIC's Notice
 12 of Removal. The case law cited in TLIC's Notice of Removal, which is incorporated
 13 herein by reference, demonstrates that an award for damages for emotional distress;
 14 punitive damages; and attorney's fees would be reasonably likely to materially exceed
 15 the jurisdictional threshold of \$75,000 even before such an award is aggregated with
 16 the trebled past policy damages.¹

17 4. TLIC filed its removal within 30 days of its receipt of the Summons and
 18 Complaint.

19 5. Paragraph 5 of the Order is inapplicable to this lawsuit, which was
 20 commenced less than one year prior to the date of TLIC's removal.

21 6. TLIC is not aware of any other Defendant that was served before the
 22 Notice of Removal was filed.

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 27 ¹ Notwithstanding that the amount placed in controversy by Plaintiff materially exceeds the
 28 \$75,000 threshold for removal, TLIC denies that Plaintiff is entitled to any measure of relief.
 Nothing herein shall constitute an admission or waiver of any right, claim or defense by TLIC, all
 of which are expressly reserved.

STATEMENT REGARDING REMOVAL

1 Respectfully submitted,

2 DATED: March 22, 2022

3 COZEN O'CONNOR

4 By: /s/ Karl O. Riley

5 Karl O. Riley

6 Michael Rafalko

7 *(Pro Hac Vice to be filed)*

Kathryn Rivera

8 *(Pro Hac Vice to be filed)*

9 Attorneys for Defendant
10 TRANSAMERICA LIFE
11 INSURANCE COMPANY

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STATEMENT REGARDING REMOVAL